

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
) Honorable A. Benjamin Goldgar
Dawn Joi)
) Case No. 23-01210
)

NOTICE OF MOTION

To: See attached Service List:

PLEASE TAKE NOTICE that on July 24, 2023, at 9:30 a.m., I will appear before the Honorable A. Benjamin Goldgar, or any judge sitting in that judge's place, either in courtroom 642 of the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Room 642, Chicago, IL 60604, or electronically as described below, and present the **SECOND MOTION TO EXTEND TIME TO OBJECT TO DISCHARGEABILITY AND MOTION TO EXTEND TIME TO OBJECT TO DISCHARGE**; a copy of which is attached.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.

You may appear electronically by video or by telephone.

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 161 500 0972, and the passcode is 726993. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

/s/ Joel Rabb

CERTIFICATE OF SERVICE

I, Joel Rabb, the undersigned attorney, hereby certifies that on July 13, 2023, I caused a copy of the Notice of Motion and Accompanying Motion to be served on all parties receiving notice through the Court's CM/ECF system.

/s/ Joel Rabb

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***SECOND MOTION TO EXTEND TIME TO OBJECT TO DISCHARGEABILITY AND
MOTION TO EXTEND TIME TO OBJECT TO DISCHARGE***

NOW COMES creditor, Peter Matuszak (hereinafter “Matuszak”), by and through his attorney, Law Office of Joel Rabb & Associates, and respectfully requests this Court extend the deadline for filing a complaint seeking a judgment denying the Debtor’s discharge or finding debts owed are nondischargeable pursuant to 11 U.S.C. §§ 523 and 727 and in support of this requested relief states as follows:

JURISDICTION

1. The Court has jurisdiction over this motion pursuant to, among other things, 28 U.S.C. § 1334. The consideration of this motion is a core matter under 28 U.S.C. § 157.

BACKGROUND

2. The Debtor filed a voluntary petition under Chapter 7 of the Bankruptcy Code on January 30, 2023 (the “Petition Date”), the eve of a court ordered citation examination.
3. Aja Carr Favors was appointed as the Chapter 7 trustee in the case.
4. The initial Meeting of Creditors was held on March 24, 2023.
5. On March 24, 2023, the Trustee filed an Initial Report of Assets.
6. Matuszak filed a Motion for 2004 Examination, which was granted.
7. The examination was scheduled to proceed on April 26, 2023 but has not been completed.

8. In addition, the Debtor was advised by Huntington Bank that she would only be able to obtain a certain amount of bank account statements without a fee and that documents being within "possession, custody, or control" does require a Debtor to turn over documents that are available upon demand and that she would not have to obtain documents at a cost.

9. Based on this information, Matuszak will need to seek leave to issue a subpoena to the Debtor's financial institutions to obtain the statements requested from the several accounts of Debtor.

10. Further, the Debtor listed exemptions on her schedules that Matuszak may have an objection to.

11. As a result of the examination and filed schedules, Matuszak needs further information in order to fully investigate the Debtor's financial affairs and evaluate and determine the full extent of any grounds for the entry of a judgment denying the Debtor's discharge under § 727 and determining that amounts owed are nondischargeable under any of the subsections of § 523 and 548.

12. Matuszak requests a second extension of the deadlines for filing a complaint objecting to the Debtor's discharge and determining the dischargeability of the debts owed 90 days, through and including November 4, 2023.

13. The Discharge Deadline often is extended as a routine matter, so long as the request is made prior to the expiration of the existing deadline and the party requesting the extension has not done so previously or is showing diligence in their actions.

14. Additionally, the 2004 Examination has not been completed.

Wherefore, Peter Matuszak respectfully requests that the Court extend the deadline for seeking denial of discharge and/or dischargeability pursuant to 11 U.S.C. §§ 523 and 727 through

and including November 4, 2023 and for such other relief as this Court deems necessary.

Respectfully Submitted,

/s/ Joel Rabb

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